

**RESOLUTION NO. 20-073**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AN AMENDMENT TO THE JOINT POWERS AGREEMENT OF THE MENDOCINO COUNCIL OF GOVERNMENTS TO ADD HOUSING MATTERS AS A SPECIFIC POWER AND MAKING OTHER CLARIFYING CHANGES**

WHEREAS, the Mendocino Council of Governments (MCOG) was formed by a Joint Powers Agreement in 1972 and amended in 1978, 1993, 1994 and 2008, by the Cities of Fort Bragg, Point Arena, Willits and Ukiah, and the County of Mendocino to serve as the Regional Transportation Planning Agency and other regional purposes; and

WHEREAS, the Joint Powers Agreement (JPA) identifies specific powers for which MCOG is responsible; and

WHEREAS, the JPA currently identifies transportation planning and economic development as MCOG's specific powers, and states that other specific powers may be expressly authorized by Resolutions adopted by the respective bodies of each of the parties to the agreement; and

WHEREAS, in 2019, Assembly Bill 101 created the Regional Early Action Planning (REAP) grant program, which provides funding to regional agencies for planning activities related to housing production and implementation of the Regional Housing Needs Allocation; and

WHEREAS, in order to utilize funding through the REAP grant program and to carry out responsibilities related to the Regional Housing Needs Allocation, it is proposed that the Joint Powers Agreement be amended to specify that the Joint Powers Agency has the authority to undertake planning related to the production of housing in the region, including activities related to development and implementation of the Regional Housing Needs Allocation Plan; and

WHEREAS, the MCOG Board of Directors approved an amendment to add this specific power at their meeting of April 6, 2020, and in order for such an amendment to take effect, it must be approved by resolutions adopted by the respective legislative bodies of each of the parties to this agreement; and

WHEREAS, MCOG has prepared an amended Joint Powers Agreement, attached to this resolution as Exhibit A, which includes the housing-related amendment as well as other amendments clarifying language and incorporating minor corrections of earlier amendments; and

WHEREAS, upon full execution of an amendment, MCOG shall prepare and file a notice of amendment with the California Secretary of State in accord with California Government Code Section 6503.5.

NOW, THEREFORE, BE IT RESOLVED, by the Mendocino County Board of Supervisors that:

1. MCOG's Joint Powers Agreement shall be amended as shown on Exhibit A, attached hereto and incorporated herein by this reference, specifically including the change to Section 3 as follows:

- “3. MCOG shall have the power to serve the following specific purposes:
- a. act as the transportation planning agency for Mendocino County, as designated by the Secretary of the Business and Transportation Agency of the State of California,
  - b. undertake economic development planning for Mendocino County,
  - c. undertake planning related to the production of housing in the region, including activities related to development and implementation of the Regional Housing Needs Allocation Plan, and
  - € d.any other specific power, including regional planning in other functional areas besides transportation, economic development, and housing which has been expressly authorized by Resolutions adopted by the respective bodies of each of the parties to this agreement.”
2. This amendment also incorporates clarifying language and minor corrections of earlier amendments.
  3. All other terms and conditions set forth in MCOG’s Joint Powers Agreement of 1972 as amended in 1978, 1993, 1994 and 2008 shall remain in full force and effect.
  4. This amendment shall become effective upon approval by resolution of each of the member agencies.

The foregoing Resolution introduced by Supervisor McCowen, seconded by Supervisor Williams, and carried this 23<sup>rd</sup> day of June, 2020, by the following vote:

AYES: Supervisors Brown, McCowen, Haschak, Gjerde and Williams  
NOES: None  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

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JOHN HASCHAK, Chair  
Mendocino County Board of Supervisors

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Deputy

*APPROVED AS TO FORM:*  
CHRISTIAN CURTIS  
County Counsel

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO  
Clerk of the Board

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Deputy